

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA,

Plaintiff, : Case No. 3:00-cr-92(11)

-vs- : District Judge Walter Herbert Rice
FELIPE DELEMOS ABREU, Chief Magistrate Judge Michael R. Merz

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #952), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on November 28, 2005, hereby ADOPTS said Report and Recommendations.

It is therefore ORDERED that the Petition (Doc. No. 950) be dismissed without prejudice for failure to state a claim upon which coram nobis or audita querela relief can be granted.

December 13, 2005.

Walter Herbert Rice
United States District Judge